

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

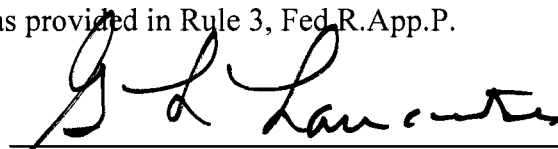
FRED COLE,)
Plaintiff)
)
vs.) Civil Action No. 07-856
) Judge Gary L. Lancaster/
P.O. McGINTY; PITTSBURGH POLICE) Magistrate Judge Amy Reynolds Hay
DEPARTMENT, Zone 4; CITY OF)
PITTSBURGH; SGT. VOLBERG,)
Pittsburgh Police Dept. Zone 4,)
Defendants)

ORDER

AND NOW, this 28 day of March, 2008, after the Plaintiff, Fred Cole, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until March 27, 2008 to file written objections thereto, and Plaintiff's copy of the report and recommendation having been returned to the Court by the United States Postal Service from Plaintiff's last known address with a notation "Return to Sender, Attempted - not Known, Unable to Forward", and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the complaint [3] is dismissed for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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